

THE HONORABLE FRANKLIN D. BURGESS

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

RICHARD CAIRNIE,

Defendant.

NO. CR05-5000 FDB

ORDER GRANTING STIPULATED
MOTION TO CONTINUE TRIAL

THIS MATTER HAVING COME on/or before the undersigned Judge, upon the stipulated motion of the defendant in this matter to reconsider the motion for continuance of the trial date, and the court having considered the records and files herein.

THE COURT HAVING FOUND that the defendant has given a safety valve proffer, that counsel for the defendant and the government have reached a plea agreement, that additional time is necessary to submit the defendant to a polygraph examination to substantiate the defendant's eligibility for a safety valve, that it is anticipated that this case will resolve prior to trial, and that continuing the trial date on the ground that the "ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial," as permitted by 18 U.S.C. §§ 3161(h)(8)(A) (B)(ii) and (B)(iv).

ORDER GRANTING STIPULATED
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LAW OFFICES OF JOHN HENRY BROWNE, P.S.
2100 EXCHANGE BUILDING
821 SECOND AVENUE
SEATTLE, WASHINGTON 98104
(206) 388-0777 • FAX: (206) 388-0780

1 IT IS HEREBY ORDERED that the trial date in this matter is continued
2 from June 27, 2005 to August 15, 2005 at 9:00 a.m.

3 IT IS FURTHER ORDERED that the period of time between the current trial date
4 of June 27, 2005 up to and including the new trial date of August 15, 2005 is excluded in
5 calculating the time within which trial must begin under the Speedy Trial Act pursuant to
6 18 U.S.C. §3161(h)(8)(A).

7
8 DONE IN OPEN COURT this 14th day of June, 2005.

9
10 /s/ Franklin D Burgess
11 THE HONORABLE FRANKLIN D. BURGESS

12 Presented by:

13 Richard Cairnie, represented by:
14 LAW OFFICES OF
15 JOHN HENRY BROWNE
16 s/ Jessica Riley
17 WSBA # 32705
18 2100 Exchange Building
19 Seattle, Washington 98104
20 Phone: 206-388-0777
21 Fax: 206- 388-0780

22 Approved for entry:

23 Plaintiff, USA, represented by:
24 UNITED STATES ATTORNEY'S OFFICE
s/ Lisca Borichewski, AUSA via telephonic
approval
WSBA #24300
700 Stewart Street
Seattle, Washington 98101
Phone: 206-553-7970
Fax: 206-553-4440
Lisca.Borichewski@usdoj.gov